



STATE OF NEW YORK
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September 11, 2007

BY HAND

Honorable Richard J. Sullivan
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 615
New York, New York 10007

Re: Gardner v. Eli Lilly Company, Inc. et al, 07-CV-3982 (RJS)

Dear Judge Sullivan:

I am an Assistant Attorney General in the Office of Andrew M. Cuomo, Attorney General of the State of New York. I represent defendants the Mental Health Unit of Downstate Correctional Facility ("Downstate MHU"), the Mental Health Unit of Attica Correctional Facility ("Attica MHU"), the Mental Health Unit of Green Haven Correctional Facility ("Green Haven MHU") and Thomas F. Ryan of Green Haven Correctional Facility, who have been served by mail and have requested representation¹.

I respectfully write to request that the current deadlines of September 26, 2007 for defendants' Downstate MHU and Attica MHU and October 1, 2007 for defendants' Green Haven MHU and Thomas Ryan time to appear, answer, or otherwise move with respect to plaintiff's amended complaint be extended up to and including November 30, 2007. I have not sought the consent of the pro se plaintiff as he is currently incarcerated. No previous requests for an

¹ Upon information and belief, defendants Eli Lilly Company, the Department of MHU of Rikers Island, Brooklyn House of Detention [sic], and C-95/C-71/C-73 are not New York State defendants.

Honorable Richard J. Sullivan
September 11, 2007

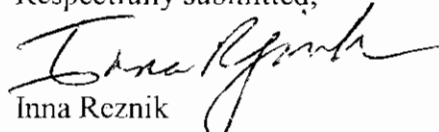
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extension of time have been made.

An extension of time is necessary to investigate the facts alleged in the amended complaint, obtain the necessary documents, and prepare an appropriate response. It will also allow plaintiff additional time to serve or obtain confirmation of service from each of the remaining named defendants whose service status is presently unknown. Additionally, I am asking for a longer extension because I will be on vacation from September 15, 2007 to October 2, 2007. By making such a request, we are not waiving any rights the defendants not yet served may have, including the right not to appear or the right to answer or move with respect to lack of personal jurisdiction.


Thank you for your consideration of this request.

Respectfully submitted,


Inna Reznik
Assistant Attorney General

cc: Phillip Jerome Gardner (by first class mail)
DIN # 00-A-1955
Sullivan Correctional Facility
P.O. Box 116, Riverside Drive
Fallsburg, New York 12733-0116

So ordered.


U S D J
9/12/07

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Samuel Banguara, et al,
Plaintiffs,

-v-

Modern Facilities Services

Defendant.

Case No.

06-cv-4054(KMK)

ORDER

ECF

RICHARD J. SULLIVAN, District Judge:

This case has been reassigned to my docket. The Court hereby ORDERS that the parties appear for a pre motion conference in this case. The conference shall be held on September 21, 2007 at 10:00am in the United States Courthouse for the Southern District of New York, Courtroom 21D-500 Pearl Street, New York, New York.

The Plaintiff is hereby directed to respond to the Defendant's letter dated September 7, 2007, not later than 1pm on September 19, 2007.

Defendant's counsel shall notify all parties.

SO ORDERED.

Dated: September 12, 2007
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE